

WILLARD CITY CORPORATION PC042116

DATE: April 21, 2016
TIME: 6:30 p.m.
PLACE: Willard City Hall
ATTENDANCE: Chairperson – Terry Ross
Commissioners: Sidney Bodily, Gary Hart, Leslie Meyer, Chandler Bingham John Seamons
Bryce Wheelwright - City Planner (non-voting member)
Del Fredde – City Council member (non-voting member)
Gaylene Nebeker - Planning Commission Secretary
EXCUSED:
CITIZENS: See attached sheet

1. **Prayer** – John Seamons
2. **Pledge of Allegiance** led by Terry Ross
3. **General Public Comment (Input for items not on the agenda)**
4. **Discussion Item**
 - a. **Michael Cox representing the Paul Family on a Lot Line Adjustment located at 747 South Main Parcel #02-053-0059**

City Planner Wheelwright explained the Paul Family Trust is requesting a Lot Line Adjustment for the John Cox property. They are shortening the south property line and extended the north property line. They have not changed the area but doing the lot line adjustment to keep the stone wall that John Cox put in. He went on to explain the history of the lot. It was originally a non-conforming lot that the city rejected when they applied for a building lot. The Paul Family applied for a Board of Adjustment hearing to appeal the judgement and was given a legal non-conforming lot.

A motion was made by Commissioner Meyer to approve the Paul Family on a Lot Line Adjustment. The motion was seconded by Commissioner Bingham. The motion carried with a unanimous vote.

Chairperson Ross asked if the lane going into the Cox property was an access lane for the city as well as his property. City Planner Wheelwright stated it is the lane going into his property and explained when the property was subdivided it created a flag lot and a non-conforming lot. Chairperson Ross thought there was originally an easement at the back of the property. City Planner Wheelwright was not sure but stated at this time it looks like a legal easement. Commissioner Bingham said in last month's minutes it stated Keven Hardy would be accessing his property from Granite Ridge. City Planner Wheelwright stated yes. Chairperson Ross stated Keven Hardy told him the lane was an easement for the city to access for fire control and he used it for access to the back portion of his property through a gate. He felt he has been cut off from accessing that portion of his property. City Planner Wheelwright stated if he has a legal right to be on it he should be allowed access. Commissioner Meyer asked where he would go to find out about a legal access. City Planner Wheelwright stated he would need to go to Box Elder County and look at the records. If it is a city easement it would be a public right of way. They would need to find out what type of easement they have. Commissioner Seamons asked how this property fits in with the Granite Ridge Subdivision. City Planner Wheelwright stated it is

only the back of his property and has nothing to do with Granite Ridge.

b. Non-Motorized Trail Ordinance review with possible recommendation to City Council

City Planner Wheelwright said the only other issues that has come up is the Police Chief requests the trail be closed from dusk to dawn. There was discussion on not putting this in the ordinance stating there are a lot of individuals who run or walk early in the morning and late at night. City Planner Wheelwright stated this ordinance is for all trail system throughout the city not just the 200 West Trail. He also stated it allows the police enforcement if someone is doing something wrong. Commissioner Bodily felt the police had enforcement already if someone was doing something wrong. Chairperson Ross and Commissioner Bodily felt the ordinance covers most of what would happen. There was concern about those individuals who walk or run before dawn already breaking the law. They understand what the Police Chief is trying to say but voiced concerns. City Planner Wheelwright stated there will come a time when there will be a paved road through that area. Commissioner Seamons asked if there would be a place to have fires in the dike area. City Planner Wheelwright has not seen any plan showing fire pits. Chairperson Ross felt there should be picnic table and grills. It was asked if the city had a curfew and suggested the parks and trails have the same curfew. Chairperson Ross read from the Section 4.6 item I that states "*all trail users using the trail from one half hour after sunset and one half hour before sunrise shall have lights.*" Planning Commission Secretary left the meeting to talk to the Police Chief who clarified the time be from 10 p.m. to 5:00 a.m. not dusk to dawn. Commissioner Hart stated most of the issues will happen late at night not early in the morning. He also stated most individuals who are causing problems are going to be in a vehicle not walking. Commissioner Bingham stated he would be more concerned about the dike area rather than the 200 West Trail. Chairperson Ross asked how it would be closed off. It was stated they would need to have some type of gate with signage. Commissioner Bodily stated it does not matter if it is a park or trail if someone wants to cause mischief they are going to do it anywhere anytime and there are rules in the ordinances to take care of it. Chairperson Ross felt there should only be curfews on the parks not the trails. Commissioner Meyer felt the only exception on the hours would be if the police are driving by and see activity on the trails it would give the police the ability to act on it. Commissioner Bingham asked if they city had a park ordinance. City Planner Wheelwright was not aware of one. Chairperson Ross said if the police are suspicious of any wrong doing they would check it out anyway. City Planner Wheelwright stated the 200 West Trail will be part of a Regional Trails System with Perry City and South Willard tying into it and will reach from Brigham City to Utah County if not further. Chairperson Ross understands what the Police Chief is asking but felt there was enough in the ordinance to cover it. Commissioner Meyer suggested looking at other cities to see what they have. City Planner Wheelwright stated Willard City is the pioneer for putting together a trail ordinance. He contacted other cities to see what they have and they only had rules so they took the rules and made this ordinance. Commissioner Seamons asked if we should wait until the other cities are connected so each city does not have different rules before we decide what hours to put on it. It was suggested that we leave the ordinance as is and then amend it if needed. Commissioner Bingham asked about putting together a Park Ordinance to go with it. Commissioners Bodily and Meyer felt it should be two separate ordinances. It was also suggested changing the word trail to trails to cover all trails.

A motion was made by Commissioner Bodily to recommend the Non-Motorized Trail Ordinance to the City Council. The motion was seconded by Commissioner Bingham. The motion carried with a unanimous vote.

c. Review of the Annexation Policy Plan

Commissioner Meyer asked if there has been a proposal from South Willard for annexation. City Planner Wheelwright stated no. The Planning Commission members felt the ordinance needed updating. Items that needed updating included rewording the sections on sewer, water and wells. It was suggested they look at the section titled Expansion Area to make sure the area is

still correct. Discussion held on the projected growth table. City Planner Wheelwright stated he would get information from the census and the county. A discussion was held on updating the taxation to include the sewer taxes and it was stated it would need to be updated regularly. Commissioner Meyer felt to pick up South Willard would be a financial burden to the city. She asked if the taxes would cover snow removal etc. City Planner Wheelwright stated Zions Bank did a study for the county and they determined that the property taxes would be very expensive. They would also be required to give Willard City their water. Their water system would need to be turned over to Willard City. There was an additional handout presented on information that would be required to put into an annexation plan. City Council member Fredde suggested they look at whether those within the boundaries of the sewer are going to be required to connect to the sewer system. City Planner Wheelwright stated this would need to be in the policy. South Willard is currently on a septic system. Commissioner Bingham voiced concerns about the initial cost to bring services (fire, police, snow removal etc.) to Willard City before it collects taxes and felt it would need to be covered by the county until there is revenue to the city. City Planner Wheelwright stated when Zions Bank did the study there was discrepancies between the city and the county as to what it would cost to change over. To annex South Willard would double our population double our geographical area which would require more employees, services, vehicles etc. and may require a new Fire Station. Commissioner Seamons asked what the advantage would be if he lived in an area that wanted to be annexed. City Planner Wheelwright stated you are getting the same services for less money. At this time there is no advantage to annex into Willard City. City Planner Wheelwright also stated they would need to petition Willard City, Willard City is not going to petition them. He also stated there are some developers in South Willard who are putting in subdivisions that are requesting connection into the sewer system which would be an incentive. Chairperson Ross stated that any development that would go in in South Willard the taxes would come to Willard City. He also asked about gravel pits and would the taxes come to Willard City. City Planner Wheelwright said the Ben Lomond substation generates a lot of money for the county and it would come to Willard City and there is no taxes from the gravel pits. Commissioner Seamons asked if there was a way to run a sewer line around South Willard and hook into Marriotts. City Planner Wheelwright stated they have looked at running a line along the railroad right of way. City Council member Fredde stated there has been talked about annexing only west of Hwy 89. City Planner Wheelwright will update the information into the ordinance and send it out.

5. Approval of Minutes

The minutes of the April 7, 2016 Planning Commission meeting were reviewed. A motion was made by Commissioner Seamons to approve the above minutes as amended. The motion was seconded by Commissioner Meyer. The motion carried with a unanimous vote.

6. Commissioner Comments/Staff Comments

Commissioner Bodily asked what was happening at Willard Peak Ranches. City Planner Wheelwright explained they are connecting into the sewer system. Commissioner Meyer asked if everything was going to plan. It was stated they are working on the sewer lines and are looking at having curb and gutter and asphalt put in by May. Rocky Mountain Power is dragging their feet and water line are still to come. A question was asked what the house sizes would be. They will be 2500 sq. ft. for 2 levels 1400 sq. ft. per level. City Planner Wheelwright showed concept drawings of the signage for the 200 West Trail and asked for any comments. Chairperson Ross asked about rerouting the irrigation line in the Willard Peak Ranches Subdivision. City Planner Wheelwright said they are putting them underground and has talked to the developer about the landowners needing their irrigation. Commissioner Meyer asked about the dike area. It was stated they are

putting in a 15 inch pipe so they can bypass the water fall if necessary. They will be putting the berm back into place. Commissioner Seamons asked if the city is still funding the project. City Planner Wheelwright stated yes, they will go as far as they can and then will look at another grant. Commissioner Seamons asked if they are still looking into checking the water level in the tanks. City Planner Wheelwright said they are still working with the engineer. Commissioner Hart asked about dogs running at large and if the city does anything. It was stated he could make a complaint and the Police Department would talk to the owner to resolve the issue. The next meeting will have a public hearing for the Guy Isakson's rezone request. There will be a SLUA meeting held on April 26th. Chairperson Ross felt the Planning Commission needed to come up with an ordinance for smaller subdivisions. City Planner Wheelwright said he is looking at a small subdivision ordinance from Hyrum City. There was no further discussion and Chairperson Ross asked for a motion to close the meeting.

7. Adjourn

A motion was made by Commissioner Meyer to adjourn the April 21, 2016 Planning Commission meeting. The motion was seconded by Commissioner Bingham. The motion carried. The meeting adjourned at 7:38 p.m.

Minutes were read individually and approved on May 5, 2016

Planning Commission Chair Person
Terry Ross

Planning Commission Secretary
Gaylene Nebeker